August 21, 2007
Reference: Application 10/605,516

Art Unit 2886

RESPONSE TO NON-FINAL OBJECTION

Prior art disclosed by Thirion et al (2002/0012478) is patently distinct from instant invention due to following matter:

1. Thirion et al teaches to employ two existing images, in fact he even resample images to better correlate them.
   Instant invention teaches to use real-time digital video stream, which in fact is a sequence of data bits that available and processed before the image is composed of them and become available. In fact, the stream if truncated will never become an Image suitable for teaching of Thirion et al, yet method of instant invention uses fragments of the stream and thus may explicitly truncate the stream to reduce processing burden.

2. Thiron et al present no teaching indication on real-time processing of the images. In fact the paragraph 28 indicates that real-time availability of results is of no importance, as he introduces "manual selection by a user" as an acceptable processing step.
   Instant invention, on contrary, is solely aimed to real-time processing of continuous series of data, and outputting results as corresponding real-time streams. The instant invention considers result as serial stream containing real-time data evolving over time. This is fundamentally distinct from Thiron et al, wherein only single static image dataset is produced at undefined later moment.
   This distinction makes all referenced prior art unsuitable for real-time automation and feedback unlike instant invention.

The above arguments also make instant invention patently distinct from prior art disclosed in JP-2000-165519 and US 6,535,623 referenced in the objection letter.

To emphasize stated distinctions appropriate changes are made to amend claims of instant invention. The amendments introduce no new matter to the invention.

Regards,

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